

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TZUMI INNOVATIONS, LLC,	:	
Plaintiff,	:	
	:	21 Civ. 122 (LGS)
-against-	:	
	:	<u>ORDER</u>
MICHAEL S. REGAN, et al.,	:	
Defendants.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, “[i]n order for a federal court to retain jurisdiction over a case, an actual controversy must exist at all stages of review, not merely at the time the complaint is filed.” *Williams v. Annucci*, 895 F.3d 180, 187 (2d Cir. 2018) (internal quotation marks omitted).

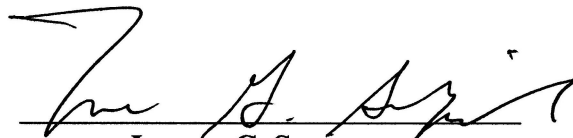
WHEREAS, Plaintiff indicated that as of January 2021, nine million units of the “Wipe Out!” product bearing the label at issue in this case were on store shelves and additional units were in Tzumi’s possession.

WHEREAS, Plaintiff indicated that it has revised the label for the “Wipe Out!” product and contracted to sell units bearing the revised label. It is hereby

ORDERED that Plaintiff shall file a status update by **May 19, 2021**, providing an estimate of how many, if any, units of the “Wipe Out!” product bearing the old label are available on store shelves or in Plaintiff’s possession. It is further

ORDERED that Defendants shall file a status update by **May 21, 2021**, providing an update on the status of their investigation into the “Wipe Out!” product.

Dated: May 12, 2021
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE